

said it would be unfair to do it so close to an election."

That is not true. It never happened. President Lincoln never said that nor did he do that. The Washington Post already debunked this disinformation when another Democratic Senator tried to spread it.

Now the Democratic leader is claiming Chairman GRAHAM did something unprecedented in committee this morning. That would be news to Senator LEAHY, who had a Democratic majority vote multiple judges to the floor in 2014 when there were not two Republicans present. Chairmen of both parties have done the same thing multiple times.

The Democratic leader continues to misstate what the Republicans said in 2016. Let me quote verbatim from my very first floor speech after Justice Scalia passed away. Here is what I said: "The Senate has not filled a vacancy arising in an election year when there was divided government since 1888." That is what we had then, a divided government—a Republican Senate and a Democratic President. Now, my friend the Democratic leader may be emotionally invested in this idea that I said something else, but that is, in fact, what I said. Historical precedent supported no confirmation in 2016, and it supports confirming Judge Barrett now.

Look, everybody knows what is going on here. We know why the Democratic leader feels this need to keep saying things that aren't true. Our colleague is trying to invent a justification to declare war on judicial independence and pack the Supreme Court if the Democrats should win power. That is what this is all about.

Back in March, he walked across the street and threatened Justices by name if they ruled against his wishes, and now, even though this Court ended up delighting the political left with several decisions this very year, he still wants an excuse to pack the Court.

The American people know what a terrible idea this is. Polls show majority support for confirming Judge Barrett and overwhelming opposition to court-packing. The American people are glad that Franklin Roosevelt didn't get to blow up our independent judiciary in 1937, and they strongly oppose Democratic threats now.

The Democratic leader may support court-packing, and former Vice President Biden may call it a "live ball," but the American people know these threats are anathema to the rule of law.

This Senate majority will not let falsehoods drown out facts. We will not reward hostage-taking, and we will not be bullied out of doing what is right. We are going to follow history and precedent and do our job.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. GRASSLEY. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. GRASSLEY. Madam President, I ask unanimous consent to speak for 1 minute as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### RENEWABLE ENERGY SOURCES

Mr. GRASSLEY. Madam President, throughout my tenure in the Senate, I have been a leader in promoting renewable energy sources, like being called the father of the wind energy tax credit. This has led to a cleaner environment and has increased America's energy independence.

It is concerning to see legislation from progressive Members of Congress that would eliminate internal combustion engine vehicles like the vast majority of us drives and depends on. In other words, we will all have to buy electric cars. This is supposed to help the environment, but, remember, most electrical generation is from fossil fuels.

There are more practical solutions available. Currently, renewable fuels can reduce greenhouse gas emissions by 43 percent, but they would be totally eliminated under this extreme bill. By adding more ethanol and biodiesel to our energy mix, we can reduce emissions while still keeping transportation costs low for working families.

I ask my colleagues across the aisle to abandon this radical scheme. If they want a cleaner environment, then they should look to renewable fuels produced in our Nation's heartland.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. SCHUMER. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Democratic leader is recognized.

#### NOMINATION OF AMY CONEY BARRETT

Mr. SCHUMER. Madam President, before I get into the substance of my remarks, I will briefly redress the Republican leader.

He came on the floor and, with his typical vitriol, made all kinds of accusations. The bottom line is MCCONNELL is angry. Why? Because we Democrats have exposed that he has defiled the Senate as an institution more than any person in this generation and many generations, because we Democrats have exposed the hypocrisy of holding up Merrick Garland because it was 8 months before an election and rushing through Amy Coney Barrett because it is "something we can do."

The bottom line is Leader MCCONNELL, of course, doesn't like hearing

these things, but they are the truth, and they will live on in history. The man who defiled the Senate, the man who created one of the greatest hypocritical acts in the history of the Senate, sits in that chair.

Now, the Republican majority is steering the Senate toward one of the lowest moments in its long history, and the damage it does to this Chamber may very well be irrevocable.

After thwarting the constitutional prerogative of a duly elected Democratic President to appoint a Supreme Court Justice because it was an election year, the Republican majority is rushing to confirm a Justice for a Republican President 1 week—1 week—before election day.

Four short years ago, all of our Republican friends argued that it was principle—that is the world they used, "principle"—to let the American people have a voice in the selection of a Supreme Court Justice because an election was 8 months away.

Those same Republicans are preparing to confirm a Justice with an election that is 8 days away. What a stench of hypocrisy.

In the process, the majority has trampled over every norm, rule, or standard that could possibly stand in its way. It ignored health guidelines to conduct in-person hearings in the middle of a pandemic after Republicans Members of the committee themselves had contracted COVID.

It has broken longstanding Senate precedent. Never in the history of the Senate has a Supreme Court nominee—a lifetime appointment—been considered so close to an election. The Presiding Officer of the Senate confirmed this yesterday in response to this Senator's inquiry. Never in the history of the Senate has a Supreme Court nominee been confirmed after July of an election year.

Before even we arrived at this sordid chapter, the Republican majority broke the rules of the Senate to change the rules of the Senate, lowering the number of votes required for a Supreme Court nomination so that Republicans could confirm whomever they wanted.

They changed the rules of the Senate again to limit the amount of time the Senate spends considering judicial nominations so they could pack the courts with their rightwing appointees even faster.

It is a hallmark of democracy that might does not make right, but the Republicans are blatantly ignoring this principle. Here, in Leader MCCONNELL's Senate, the majority lives by the rule of "because we can." They completely ignore the question of whether they should. Morality, principles, value, consistency are all out the window.

Here, now, we have the culmination of this Republican majority's systemic erosion of rules and norms in pursuit of raw political power: a Supreme Court nominee who will be confirmed on a party-line vote after the rules were changed to allow it, in complete contradiction to the supposed principle

that the same party so vehemently argued only 4 years ago, 8 days before an election in which the American people will choose exactly whom they want to pick Supreme Court Justices for them.

This idea that because now the Presidency and the Senate are in one party, the rule doesn't apply—they never said that when they blocked Merrick Garland. It is fakery. It is, again, part of the house of lies that is being built by the majority to rush a Supreme Court Justice like this.

It is absurd. It is outrageous. It is a stain on this body and an indelible mark on this Senate majority that will live in history. The Senate Republican majority is conducting the most rushed, most partisan, and least legitimate process in the long history of Supreme Court nominations, and Democrats will not lend an ounce of legitimacy to that process.

Today the members of the minority on the Judiciary Committee have boycotted the markup of Amy Coney Barrett. The rules of the Judiciary Committee require that two members of the minority be present in order to conduct a markup.

True to form, Chairman GRAHAM decided to break the rules to move forward with a vote on Judge Barrett anyway—steamrolling over the rules of the Judiciary Committee, just like Republicans have steamrolled over principle, honesty, fairness, consistency, and decency in their mad rush to confirm a Justice before the election. To steamroll over rules—that is the mark of an autocratic society, not the mark of a democracy, and the Republican majority is going along with that kind of autocracy, the same kind exhibited by President Trump. It is a shame that the principles of the Republican Party are out the window.

Today, the Democratic seats on the dais in that committee room remained empty. In their place were reminders of what is ultimately at stake in this nomination—the fundamental rights of the American people. In their place were photographs of Americans whose lives would be devastated if Judge Barrett delivers the decisive vote to strike down the Affordable Care Act, ripping away healthcare from tens of millions of Americans and eliminating protections for 130 million Americans with preexisting conditions.

You could imagine, alongside their faces, the faces of women who cherish the right to make their own private medical decisions; the faces of LGBTQ Americans who want to marry whom they love and not be fired for who they are; the faces of American workers who are breaking their backs to make ends meet, who need their union to help them get a better wage; the faces of young people who know the planet is in peril in their lifetimes.

I hope that when Republican members of the committee took their seats this morning, they looked at those faces. They ought to think about what this nomination means for them. I

hope they actually took one moment to think about what it says about their sham of a process that Democrats were forced to take the extraordinary step of refusing to participate.

While they may realize it or not—or they may not even care—the Republican majority's monomaniacal drive to confirm this Justice in the most hypocritical of circumstances will forever defile the Senate and curtail the fundamental rights of American people for generations to come.

To every one of my colleagues: History will remember what you have done. Democrats will play no part in it.

#### LEGISLATIVE SESSION—MOTION TO PROCEED

Madam President, while the Senate majority rushes to confirm the Supreme Court Justice, it is ignoring a number of very important priorities.

Earlier this week, the Republicans had a series of stunt votes on COVID relief on an emaciated bill that left most Americans behind and that was even designated to fail.

Now I want to mention a foreign policy issue the Republican majority is ignoring. We have a resolution by Senators MENENDEZ and MURPHY to invoke statutory authority under the Foreign Assistance Act to require the Secretary of State to assess and report to the Congress on Turkey's potential human rights abuses in Syria.

My colleagues introduced this resolution as a result of Turkey's invasion of northeast Syria and its campaign to ethnically cleanse Kurds from the region, which has resulted in numerous reports of horrific human rights abuses.

The tragic events were the result of the President's decision to abandon our Kurdish partners. The administration didn't lift a finger to uncover the atrocities committed by Turkish proxies.

Even more recently, the Turkish Government, led by President Erdogan, has blood on his hands for his role in the conflict between Armenia and Azerbaijan.

President Erdogan is sending individuals responsible for the atrocities in Syria to this region now. He must be exposed—he must be exposed—for these actions. This President has a record of cozying up to dictators, and action must be taken.

So in order to proceed to S. Res. 409, a resolution requesting information on Turkey's human rights practices in Syria, I move to proceed to legislative session.

The PRESIDING OFFICER. The question is on the motion to proceed.

Mr. SCHUMER. Madam President, I ask unanimous consent that the vote occur at 12:59 today.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. SCHUMER. Madam President, I ask for the yeas and nays on the motion.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays are ordered.

Mr. SCHUMER. Thank you.

The PRESIDING OFFICER. The Senator from South Dakota.

#### NOMINATION OF AMY CONEY BARRETT

Mr. THUNE. Madam President, Amy Coney Barrett's first Judiciary Committee hearing back in 2017 has become infamous for the grilling she underwent for her religion.

Then, as now, she was an outstanding choice who received a rating of "well qualified" from the American Bar Association and praise from peers on both sides of the political spectrum.

But despite her superb qualifications, it soon became clear that more than one Democrat thought she couldn't be objective and thus shouldn't be confirmed to the court simply because she was a practicing Catholic who took her faith seriously.

"The dogma lives loudly within you," the Democratic ranking member on the Judiciary Committee said, "and that is of concern."

"Do you consider yourself an orthodox Catholic?" the Democratic whip asked, while the junior Senator from Hawaii suggested that Judge Barrett would use her Catholic faith rather than the law to decide questions.

And while Democrats toned down the anti-religious questioning in Judge Barrett's Supreme Court hearing last week, apparently realizing that openly displaying their suspicion of her religion might offend the tens of millions of American voters who take their faith seriously, their suspicion of her faith has still been on display.

Meanwhile, Democrats' media allies haven't hesitated to trot out articles on Judge Barrett's beliefs, usually with the faint—or in some cases not so faint—suggestion that her adherence to the teachings of the Catholic Church cast doubt on her fitness for the Supreme Court.

Yesterday's AP article on the fact that Judge Barrett served as a trustee at her children's Christian school—not exactly breaking news, as it was something that Judge Barrett had already disclosed—was just one more example of the media's implicit suggestion that the nominee's religion makes her unfit for public office.

As a side note, I am still waiting for bipartisan condemnation of media coverage of Judge Barrett's adopted children. Somehow the New York Times felt that Judge Barrett's brief mentions of her adopted children at her introduction and hearing warranted an article full of unsavory insinuations. I am wondering if Democrats would have found this appropriate coverage of a Democratic nominee's children.

From the attitude displayed by Democrats and the media, you would think that Judge Barrett was a member of some remote and bizarre religious cult instead of one of the largest faith groups in the world.

And Judge Barrett has not been the only judicial nominee subjected to